

**WISCONSIN DEPARTMENT
OF TRANSPORTATION**

**EVALUATION OF THE
EFFECTIVENESS OF THE
OCCUPATIONAL LICENSING PROGRAM**

PHASE TWO:

**PROFESSIONAL AND PUBLIC UNDERSTANDING OF THE
WISCONSIN OCCUPATIONAL LICENSING PROGRAM**

FINAL REPORT

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INTRODUCTION



Introduction

Study Background

At the request of the Wisconsin Department of Transportation, The Dieringer Research Group is conducting a study of the effectiveness of its occupational licensing program. This research project is being conducted in three phases.

Phase 1: Situation Assessment

- *Literature Review*
- *Survey of the US states and Canadian provinces about their policies and practices concerning occupational licenses*

Phase 2: Current Perceptions and Profiles

- *Interview experts and others in Wisconsin about their perceptions of Wisconsin's occupational licensing practices*
- *Survey the Wisconsin public to assess their understanding of the occupational license program*

Phase 3: Occupational Licensee Assessment

- *Survey occupational license holders*
- *Survey those denied an occupational license or were not eligible*
- *Survey those eligible for an occupational license but did not apply for one*
- *Develop a profile of Wisconsin occupational license applicants*
- *Compare driving records of Wisconsin occupational license holders with those of the general public*

This report presents the findings of Phase 2.

Introduction

Research Objectives

Phase 2 has several principal objectives:

- Determine the perceptions of various professionals about Wisconsin's occupational licensing program
- Identify the parts of the program that are working well and the parts that could be improved
- Judge how well the occupational licensing program accomplishes its goals
- Estimate the effects of the program on Wisconsin
- Determine the level of awareness and knowledge by the public of the occupational licensing program
- Ascertain the perceptions of the public about the occupational licensing laws
- Gather the opinions of the public about occupational licenses

Methodology

Professional Understanding of the Wisconsin Occupational License Program

For this phase of the research project, The DRG conducted 16 individual in-depth telephone interviews with various kinds of people who have different perspectives on Wisconsin's occupational licensing program. Interviews were conducted from May 28 through June 28, 2002. The interview guideline is included in Appendix A.

Respondents were selected so that they would provide differing perspectives on occupational licenses. The types of people interviewed were:

- | | |
|---------------------------------------|---------------|
| • Police officers | 3 respondents |
| • Judges | 3 respondents |
| • Attorneys (prosecuting and defense) | 2 respondents |
| • Legislators | 3 respondents |
| • Insurance companies | 2 respondents |
| • Private employers | 3 respondents |

Respondents were asked for their opinions of how the occupational licensing program is working, how well it is being administered, how well it is understood, and what effects it has.

It is important to keep in mind that all the respondents were interviewed on the telephone, without the written laws in front of them. Occasionally a respondent incorrectly referred to provisions in the laws or called for a law that already exists to be enacted. We have not edited the respondents' comments to "correct" them because we want to show their actual perceptions concerning occupational licenses.

Introduction

The laws concerning occupational licenses are very complex and detailed. The reader may notice some inaccuracies but should remember the interviewing circumstances and the principal purpose of the survey, which was to determine respondents' understanding of the occupational licensing laws, policies, and practices—not to test their knowledge of the laws' detailed provisions.

Public Understanding of the Wisconsin Occupational License Program

In this part of Phase 2, The Dieringer Research Group, Inc. conducted a telephone survey of 200 adult residents (18 years old or older) of Wisconsin. Telephone numbers were chosen randomly through random digit dialing (RDD). The sample was stratified so that about half of the respondents were men and about half were women. Interviewing was conducted from June 17 through June 30, 2002. The survey questionnaire is included in Appendix B.

The respondents were asked about:

- Whether they had ever had their Wisconsin driver's license suspended or revoked, and if they had ever applied for, and received, an occupational license
- Their understanding of which offenses for which a person could lose his or her driver's license
- Their understanding of which offenses for which a person could receive an occupational license
- Their understanding of the occupational license law requirements, activities, and restrictions

There were many factual questions in the questionnaire. Respondents were encouraged not to guess, rather to say they did not know the answer if they did not know it.

EXECUTIVE SUMMARY



Executive Summary

Professional Understanding of the Wisconsin Occupational License Program

Sixteen experts and people who deal with occupational licenses in Wisconsin were interviewed by telephone during May and June 2002, including police officers, judges, attorneys, legislators, insurance companies, and private employers. Their comments can be classified into several categories:

- ***Overall Conclusions***

Overall, the study participants demonstrated a good understanding of the occupational licensing program and the laws, policies, and practices dealing with occupational licenses. They showed awareness of the goals of occupational licenses and gave thoughtful answers on how well they thought those goals are being achieved. Only a few respondents claimed to have detailed knowledge of the occupational licensing laws, but all seemed to understand their essential outlines.

- ***General Perspectives Toward Occupational Licenses***

The study respondents were very positive about the occupational licensing program in Wisconsin. All of the respondents said the main goal of the program is to allow people who have lost their licenses to continue to work. They said that the program is accomplishing that goal.

Some respondents were impassioned about the value of occupational licenses and the need to keep people working. When asked how Wisconsin would be different if there were no occupational license, one judge said:

“Without the occupational license, I think that we would become more punitive as a society. We would lose some of our humanity and compassion. We would have a greater separation of classes. There would be more poverty. It would make us more impoverished as a state.”

However, not everybody was completely supportive of the program. Some respondents said the rules are too broad to really restrict the offenders very much.

- ***Administration of the Occupational Licensing Program***

Generally, respondents were satisfied with administration of the occupational licensing program. They said the hours are explicit and the rules are easy to understand.

There were only a few criticisms of how the program is administered in Wisconsin. All the respondents said that “monitoring” of the program is haphazard; violators are not caught unless they happen to be stopped for something else. However, no respondent favored increasing the monitoring because of the large expenditure of money and police officers’ time that it would entail.

Executive Summary

• Changes in the Occupational Licensing Laws

A common criticism of the occupational licensing law is that the activities that are permitted are too undefined. Some respondents suggested that the laws be tightened up. Occupational license holders can drive virtually anywhere and claim that it is for “homemaker” duties. Another criticism is that the times allowed are too extensive. Some respondents felt that 12 hours a day and 60 hours per week are excessive and dilute the restrictions of the occupational license so much that the license suspension or revocation no longer has enough of a punitive effect.

Some other suggested changes were:

- Some said that when offenders break the occupational license rules, such as driving outside the allowed hours, the infractions should be recorded as violating occupational license rules, not simply as driving after suspension or revocation. They said that by making a separate violation and keeping statistics on it, policy makers could see the extent of occupational law violations.
- One judge suggested that absolute sobriety be required for occupational license drivers.
- A respondent from a company with a great deal of trucking said that a company should be allowed to veto a commercial driver’s license for one of its drivers so that it does not have to put its own vehicles, and the lives of innocent people, at risk.

• Is the Occupational Licensing Program accomplishing its Goal?

All the study respondents said the intent of the occupational licensing law is to give people who have lost their regular driver’s licenses opportunities to continue working and providing for their families. If there is another goal in establishing occupational licenses, the study respondents did not show any awareness of it.

Virtually all the respondents said the occupational licensing program is accomplishing its goal.

• How Well is the Occupational Licensing Law Understood?

Respondents tended to agree that most people in the general public are very uninformed about occupational licenses. They also agreed that offenders learn about the law very quickly.

Respondents felt that police officers are adequately informed, and they assumed that judges are also informed. However, the judges interviewed said they are not particularly well informed on occupational licenses because they seldom have to deal with them. Interestingly, those in the legal system said that prosecutors tend to not be very well informed because they do not need to be. Defense attorneys, on the other hand, tend to be better informed so they can help their clients.

Executive Summary

- ***Why Eligible Offenders Do Not Apply for Occupational Licenses***

Respondents gave three main reasons for offenders not applying for occupational licenses. The most important reason is the extra cost in automobile insurance. Wisconsin requires proof of financial responsibility (usually in the form of an SR-22). Because insurance for offenders who qualify for occupational licenses can be very expensive, some offenders do not obtain it, and therefore do not receive occupational licenses.

The second reason given for offenders not applying was the hassle and inconvenience of going through the application procedures. Respondents, however, did not generally object to the inconvenience of applying for occupational licenses because they felt that some inconvenience is appropriate for traffic offenders.

The third reason was that offenders are often unaware that they can obtain occupational licenses or do not know how to get them. However, some respondents said that offenders usually learn very quickly about the licenses.

- ***Do Offenders Follow the Occupational License Rules?***

Respondents were asked if they thought offenders followed the occupational license rules concerning times, locations, and routes. The respondents were divided on this question. Some said that occupational license holders drive whenever and wherever they want. However, others said that offenders do follow the rules; if they went to the trouble to obtain occupational licenses, they would follow the rules.

- ***Does the Occupational Licensing Program Encourage Repeat Offenses?***

Respondents expressed conflicting opinions on whether occupational licenses diluted the impact of license suspension and thereby encouraged repeat offenses. Some said they do dilute the severity of license suspension but do not encourage repeat offenses. However, some said that by making it possible to drive while having a suspended license, the occupational license encourages offenders to be less concerned about breaking the law.

- ***What Effects Does the Occupational Licensing Program Have?***

Respondents were asked to evaluate the effects of the occupational licensing program on several aspects of life in Wisconsin. The respondents simply did not know, and did not guess, the effects on traffic accidents, injuries, and deaths. They did say that it probably reduces the unemployment rate. They also reasoned that by increasing employment, the law probably reduces mortgage and rent defaults.

Executive Summary

- *Occupational License Components from Other States*

Only one person was aware of any aspects of other states' programs. She was a private employer who said that awareness of the program among employees and employers was higher in Iowa, where she had previously worked, than in Wisconsin.

Executive Summary

Public Understanding of the Wisconsin Occupational License Program

• *Interpretation of Findings*

Many of the questions in the survey concerned respondents' levels of information about the Wisconsin occupational license. Answers to these informational questions are particularly difficult to interpret. There are several reasons for this difficulty:

- The answers to many questions are “it depends.” For example, an offender may lose his or her driver's license for reckless driving, but the law does not require license suspension or revocation.
- The law changes for multiple offenses. For example, the law for a first-time OWI is different than for a third-time OWI.
- The law in general can be quite complicated—much too complicated to ask about in a telephone survey.
- Respondents may guess correctly. Although all respondents were encouraged to frankly say they did not know the answer to a question, there is no way to prevent them from guessing if they want to do so.

The answers to the informational questions should be seen as Wisconsin residents' perceptions of the law, without great emphasis on whether they are correct or incorrect.

• *Respondent Profile*

The study sampled a variety of types of people, with about half male and half female, of varying ages, educational levels, and county sizes.

Of the 200 respondents, 19% said that they had their Wisconsin driver's licenses suspended or revoked. Those most likely to say they had lost their licenses were:

- Men
- Younger respondents
- Less educated respondents

• *Awareness of the Wisconsin Occupational License Program*

Ninety percent of the respondents said that they had heard of occupational licenses. There was about the same level of awareness for all demographic groups, except that respondents who had had their driver's licenses suspended or revoked had a much higher level of awareness (97%).

Although undue emphasis should not be placed on “right” and “wrong” answers, the survey respondents tended to show low levels of awareness when asked specific questions about occupational licenses and the occupational licensing program.

Executive Summary

Concerning offenses for which Wisconsin law requires a driver's license to be suspended, a list of 13 offenses were listed. A majority of respondents said that a driver could lose his or her license for some offenses, such as OWI and excessive traffic demerit points, but for many other offenses, there were many "don't know" answers.

Respondents exhibited low levels of awareness concerning offenses for which an offender would be eligible for occupational licenses. Fewer than half of the respondents who were aware of occupational licenses (180 of 200 survey respondents) knew that any specific offense included eligibility for occupational licenses.

- ***Occupational License Program Requirements, Allowed Activities and Restrictions***

Respondents showed moderately high levels of knowledge of requirements for a Wisconsin occupational license. Two-thirds knew that an offender must be a resident of Wisconsin, and 57% knew that the offender would have to show proof of insurance. However, 68% said that the offender would have to show proof of employment, which is not true.

Almost all respondents (97%) said that an occupational license could be used to travel to work, but fewer than half said it could be used for any of the other five reasons listed.

Respondents also showed moderately high levels of knowledge about restrictions placed on the Wisconsin occupational license. For example, 70% said the license included specific destinations and specific times of the day.

Only 15% of the respondents correctly said that a person with an occupational driver's license could be used to drive a commercial vehicle. Most respondents (79%) said that a person with an occupational license could be ticketed for violating the license restrictions.

- ***Opinions on the Occupational Licensing Program***

When asked if the Wisconsin occupational license was granted too easily (or not) and was too restrictive (or not), about three-fourths said it was "just right" or they did not know.

Only about one-fourth of the respondents named any changes they would like to see in the Wisconsin occupational license program. Almost all of the suggestions involved making the program more strict or more restrictive.

DETAILED FINDINGS

PROFESSIONAL UNDERSTANDING OF THE WISCONSIN OCCUPATIONAL LICENSE PROGRAM



Detailed Findings – Professional Understanding

Overall Perspectives of the Study Respondents

Study respondents were asked twice to give overall comments on Wisconsin's occupational licensing program. In the first question of the interview, they were asked, "Overall, how well is the program working?" In the last question of the interview, they were asked, "In your opinion, how would Wisconsin be different if there were no occupational licensing program?"

Overall, respondents favored the occupational licensing program and thought of it as a necessary part of Wisconsin's legal structure. Most said the program, on balance, works well. One state legislator summarized the opinions of many respondents:

"The occupational license program is working very well. It helps somebody who gets in trouble. The license process is an inconvenience that nobody would want to repeat, but the program works."

Several respondents asserted the importance of the program by explaining what Wisconsin would be like without it. They tended to stress the hardship on the offenders and their families. Others pointed to a probable increase in welfare costs. One respondent said that without occupational licenses, offenders would drive illegally and would try to elude the police when they were caught breaking traffic laws, which would lead to high-speed car chases. Some other comments were:

"There would be an adverse effect on one-time drunk drivers. It might create more of a hardship than it should." (Police Officer)

"You'd have people on the welfare rolls, which would go up exponentially. You'd have a whole lot of people that wouldn't be able to work.... There would be a big cost to the state. Somebody's got to take care of that guy's [the offender's] family." (Insurance company representative)

"It would be terrible. There would be more police chases [because people driving illegally would try to escape from the police] and more unemployment. The need to have a driver's license is so crucial, they would do it anyway." (State Legislator)

"The economy would suffer. Families and poor people would suffer." (Judge)

"The unemployment rate would go up. Wisconsin would not be a progressive state if we did not have an occupational license." (Attorney)

"We would have more people on welfare programs. People's lives tend to fall apart when they don't have access to employment." (Private Employer)

Detailed Findings – Professional Understanding

Administration of the Occupational Licensing Program

Overall Praise

Most respondents thought that, on balance, the program works well. The police officers said the occupational license reports are easy to interpret and easy for the dispatchers and the officers to read.

Most respondents agreed that although the offenders are not cognizant of the program at first, they are informed quickly.

One respondent from an insurance company praised the SR-22 system. He said:

“The SR-22 program that Wisconsin has is one of the most efficient. It is all-inclusive. In a lot of other states, a person has to apply for each vehicle separately.”

Monitoring

The most important issue concerning administration of the program is the lack of monitoring of offenders with occupational licenses. Except for a few cases in rural areas, the police simply cannot keep track of who has occupational licenses, so “catching” occupational license holders who are violating the rules is mostly a matter of coincidence—catching them violating another traffic law. As two police officers said:

“The only way we monitor compliance is if the person happens to be stopped for a traffic violation.”

“It is pretty much happenstance if we catch somebody with an occupational license. There is no master list of who has an occupational license. Once we stop somebody, we can see it on our car’s computer and can call the dispatcher for more detail.”

A judge said that an occupational license violator might get caught “by chance, if they get stopped.” He suggested putting a sticker on the license plate so the police would know the car belonged to somebody with an occupational license.

However, most respondents thought that “happenstance” was an acceptable situation. They felt that resources are limited and that it makes more sense to put them in other areas than catching occupational license violators. One district attorney said:

“Monitoring is hit and miss—found out by chance. Occupational licensing is pretty far down the food chain, which is appropriate.”

Leniency

One person from an insurance company said that judges are often too lenient. He felt that they are deviating from the letter of the law:

“We hear courts are not enforcing the laws to a ‘t.’ The courts are lenient. This can pose a concern. I would prefer they are less lenient.”

Detailed Findings – Professional Understanding

A different respondent from another insurance company complained that multiple OWI offenders and their attorneys delay second and subsequent offenses until the first OWI conviction “expires” so one offender does not have two OWIs. He said:

“The biggest problem the system has is multiple offenders and the way the legal system works to keep those people on the road.... It is just about impossible to get the guys off, but they [the lawyers] can delay things.” “The solution is to not let them delay—give them a speedy trial.”

Cumbersome Process

Some respondents noted that the process of obtaining occupational licenses can be cumbersome. Some said that the process keeps some offenders from applying for the licenses. However, one defense attorney was pleased that there were “hoops” to jump through—that offenders should not easily get a license. He said:

“Some clients wish the process were more streamlined—with less bureaucracy. But these people [offenders] shouldn’t be able to snap their fingers and get an occupational license. There should be some hoops they have to jump through.”

However, a judge said that getting an occupational license is unnecessarily difficult because of lack of information. He said this causes other problems, including problems with employers and rental and mortgage opportunities. He said there should be a simple system that makes it easier for offenders who want to clean their records:

“Many people are discouraged from getting a valid driver’s license. Instead, they drive without one. We don’t have a process in the state that speeds people along to getting their licenses. There is inadequate information for somebody who has many traffic tickets to get a valid license. The way they get information is haphazard. This affects employers, rental and mortgage opportunities, and children, and it clogs our courts. Police have extra work to do. There are thousands of people who have warrants out for their arrest for driving after revocation...They may have a damage judgement but don’t know where to pay it. They may go from municipality to municipality to handle payments. There should be a simple system in place to help people who want to get their lives in order to get a valid driver’s license.”

Awareness

A respondent from a private company said employers could also use more information about the occupational licensing program:

“Employers have a great deal of questions about the parameters of the program. What does this mean? How do we work with the program?”

She said the level of awareness of the occupational licensing program in Wisconsin is not very high. She thinks there should be more awareness among both employees and employers. Previously she worked in Iowa and said that awareness levels are higher there.

Unequal Consequences

A judge pointed out that the occupational license law has unequal consequences, depending on where a person lives. In areas with public transportation, an offender can still get to work but if somebody lives in a rural county and works in a town 20 miles away, it can be very difficult to get to work.

Detailed Findings – Professional Understanding

(But he also said that people can be resourceful and manage to get to work anyway.) He did not suggest a solution to this problem but wanted to note that it exists.

Changes in the Occupational Licensing Laws

More Strict

The most common suggestion for changes in occupational license laws was to make them more strict. Some respondents objected to the large number of hours that license holders can drive and the “homemaker” duties that are so broadly defined. One police officer said:

“It’s too broad. It doesn’t really punish the drivers for losing their licenses. They get to drive too many hours—60 hours per week. It should be more restrictive.”

Another police officer agreed:

“They may as well just give them a license as an occupational license. It’s just so broad. It is not as restrictive as it should be.... The privilege is being abused. ‘Homemaker duties’ is too broad. They could be coming from a bar. It’s getting away from how it used to be.... There are many hours. It’s difficult to find them outside their hours.... A lot of people are abusing it. It has been expanded so broadly. It has become convoluted. The occupational license does not restrict people to the bare necessities of driving.”

The third police officer said he had stopped drivers on their way home from bars who said they were performing “homemaker” duties. He said:

“Occupational licenses are good but need to be stricter. There is no reason for most people to be out after 8:00 p.m. for ‘homemaker duties.’ The weekends and evenings are the times of the problems. They should be able to do their duties during the day.”

A state legislator agreed that there should be a program that really restricts drivers’ ability to drive when they are not supposed to drive. He said:

“We need a system that allows people to drive to work but not to drive when it is not appropriate.”

A respondent from an insurance company thought the waiting periods are too short for repeat drunk driving. He said that anybody could get one OWI “but repeat OWIs raise a red flag. He said that the waiting period for three or more OWIs should be at least one year. He also said that there should be a waiting period for underage alcohol driving; he said, “We would be making a more serious point with them that this is a big thing.”

A judge said that complete sobriety should be a condition of driving with an occupational license. He said, “absolute total sobriety should be a requirement for an occupational license. This also applies to illegal drugs—no intoxicant of any sort.” He said that it takes about 20 to 30 days for marijuana to

Detailed Findings – Professional Understanding

leave a person's system, but that person should be made to wait until it has left the system. He said a person should be willing to not use marijuana for that amount of time to get an occupational license.

The same judge said that judges should be allowed to put their own restrictions on occupational licenses, although he did not identify any specific restrictions he would impose.

Less Strict

However, a state legislator said he would prefer the hours be more flexible. He said that 60 hours per week is enough, but many people work changing shifts or have jobs with unpredictable hours, so they do not list the hours accurately on their applications. He would like the hours to match actual driving behavior more accurately. He said lawyers can help clients but offenders without lawyers often make mistakes.

He would reduce the insurance cost of an occupational license. Now, an offender needs an SR-22, which he can get from an insurance company after he pays for insurance. The insurance is generally very expensive. He said the main reason offenders who are eligible for occupational licenses do not apply for them is the cost of the insurance. If the cost could be reduced, more offenders would get them. He did not say how the cost would be reduced, but he hinted at a government role.

Quasi Incarceration

A state legislator said that he favored a system he called "quasi incarceration." He described it as an intermediate step between license suspension and incarceration—"an intermediate step between a feather and a hammer." He suggested a half-way house as a model, although he was flexible on the details. The offenders would be able to drive or take public transportation to work, but outside of work they would be in a "controlled environment where they are accounted for." Treatment could be incorporated in the facility.

He would have offenders spend nights, evenings, and weekends in the facility with any license suspension—even non-vehicle offenses such as non-payment of child support. However, he would concentrate on driving offenders. He would not place all offenders in the facility because some people do follow license suspension rules. He was uncertain how the legal system would distinguish between offenders who were sent to the facility and those who continued to live at home, but an assessment would be important.

Detailed Findings – Professional Understanding

Commercial Driver's Licenses

A respondent from a private employer with a large fleet of trucks was adamant that a company should be able to prevent an offender with an occupational license from driving its commercial vehicles. He said he wants veto power over whether his employees are allowed to drive his company's vehicles. He said:

“Our name appears as an employer on an occupational license, and there is nothing we can do. We do not have an opportunity to say, ‘No, we do not want that license granted. We do not want him to drive our vehicles.’”

He said the occupational licensing program is creating a significant potential safety hazard. He said, “The judicial system doesn't understand the amount of driving that is done on an occupational license and the amount of potential safety hazard that is created.”

Lack of Data

A few respondents said that any legal reforms are limited because of the lack of data collected on occupational licenses. They pointed to the lack of statistics on how often occupational license rules are violated. They said that nobody knows how extensive the problem is because when an offender gets caught violating the rules of an occupational license, the new offense is classified as “operating after suspension or revocation.” They preferred that the offense be more accurately classified as “occupational license violation.”

Is the Occupational Licensing Program Accomplishing its Goal?

All respondents said that the goal of the occupational licensing program is to help drivers who lose their licenses to keep working. Although different respondents expressed it in various ways, they all had the same message. Some respondents limited themselves to drunk drivers, but the purpose of the program was the same. Virtually all of them also said the program achieves that goal.

In specific words, respondents said the program goals were:

“To deflect the consequences of not having your license—to get to and from your job, or go to counseling or other reasons.” (Judge)

“To keep people productive as citizens and provide for their families.” (Legislator)

“To permit people to keep working after they get a drunk driving.” (Insurance company representative)

“To allow a person to get to and from work when their regular license has been revoked or suspended.” (Police Officer)

“It provides a person who has lost their license to get it back in a limited way and pursue their work endeavors.” (Insurance company representative)

“To give people a chance to make a living and get food for their families and they can take care of actual business.” (Police Officer)

Detailed Findings – Professional Understanding

The respondents said the program is achieving this objective. A manager of a private employer said:

“I think it is an effective program because it gives people the opportunity to keep their jobs. It takes down the barrier to employment. A lot of employers are not on a bus line.”

Other respondents said it accomplishes the goal of allowing offenders to keep their jobs. Even if they disagreed about the other effects of the occupational licenses—and even if they objected to offenders violating the rules or bending them with “homemaker” duties—they said the occupational license program is accomplishing the goal of keeping people in their jobs.

How Well is the Occupational Licensing Law Understood?

There was overwhelming agreement that the general public in Wisconsin is uninformed about occupational licenses. The most important reason for not knowing about occupational licenses is lack of need. However, a judge said the law is too confusing:

“The law is too confusing. I don’t think it is understood. There are too many details. Some people are eligible and some aren’t.”

However, most respondents agreed that offenders learn about the occupational licensing system quickly once they need to. In fact, one police officer said that traffic offenders “understand the system too well, and they are using it to bend the law. They’re playing the system.” A judge said that offenders sometimes understand the system well enough that they do not worry about getting caught breaking the law—they know they can get occupational licenses:

“It is generally assumed by people, ‘So what if I get caught? I can always get an occupational license.’”

Most respondents seemed to assume that the police, judges, and prosecuting and defense attorneys understand the system well. But when asking those people themselves, a more complex picture comes into focus.

Generally, the police officers interviewed in this study thought they, and other officers, understood the system well. One said law enforcement has “a pretty good” grasp on occupational licenses. Another officer said they “understand the system very well. We get printouts when somebody gets suspended.” A judge said, “Law enforcement understands the program in terms of what they have to do with it.”

However, another police officer said law enforcement could learn more. However, he was referring to knowing who has occupational licenses as well as how the system works:

“We understand a little bit more than the general public, but we could stand to learn more. We don’t get much information from DOT on who has an occupational license, what the parameters are....There’s a lot of information for police officers to learn.”

Detailed Findings – Professional Understanding

The judges who were interviewed said they did not know very much about the occupational licensing laws. They said their lack of awareness is due to the fact that they are involved in so few cases (sometimes fewer than five per year) and have so many other types of issues to handle. One judge said, “I don’t understand it so well, and I’m a judge. But there are other things on my mind.” Another judge said that he does not see many occupational license cases so “I cannot speak from experience very much.” Another judge said that he couldn’t comment knowledgeably on the success of the program because he sees only the program failures. He said, “I’m in a poor position to know about success stories. I never see the people who do well.”

However, the judges did not say that they made bad decisions because of their lack of experience with occupational license cases. A judge said that he and other judges can learn enough about a case to make a reasonable decision. He said, “We learn what we need to know when we are faced with the question.”

Defense attorneys tend to understand the system better than prosecutors do because they need to defend their clients. One district attorney said:

“Prosecutors need to know only about the basics. Defense attorneys need to know the details. Prosecutors don’t need to know the detail because after the conviction, other people deal with the details. But an defense attorney needs to know the entire process to represent his client.”

A judge said:

“Good defense attorneys understand it. They help their clients take advantage of their opportunities. Poor or overworked defense attorneys don’t take the time. [Prosecuting attorneys] don’t know. They don’t have to deal with it much.”

Why Eligible Offenders Do Not Apply for Occupational Licenses

Respondents were asked why some offenders who are eligible for occupational licenses choose to not apply for them. The answers to this question fell into four main categories:

- The cost, especially the cost of insurance.
- Lack of awareness of the occupational license and how to apply for one
- Inconvenience and hassle in obtaining an occupational license
- Plan to drive anyway, without a license

A legislator referred to cost as the main reason for not obtaining an occupational license. He said the cost of insurance is much more important than the state’s fee. He said:

“The offender is in the high-risk, high-cost pool. They have to pay for insurance before they can get the license.”

Detailed Findings – Professional Understanding

A respondent from an insurance company concurred that the main reason offenders do not apply is cost, especially insurance cost, or “financial impact,” as he called it. He also pointed to the state fee and court costs and fines from previous convictions.

Although most respondents felt that offenders have ample opportunity to learn about occupational licenses, a few said that offenders may not have information on how to apply for an occupational license. A police officer said, “Police don’t distribute the information.” A judge, previously quoted, was adamant that inadequate information, haphazardly distributed, poses a serious obstacle to people who want to get their lives back in order.

The judge said that the hassle of obtaining a license dissuades some offenders from trying or following the process through to the end. He said, “It is a confusing bureaucratic process to apply for an occupational license. It could take half a day.”

Other respondents also commented on the hassle factor and “jumping through hoops,” but most of the felt that some inconvenience was appropriate as a sanction for offenders.

The last reason given for not applying is that the offenders drive anyway. One police officer said those who do not apply for an occupational license drive anyway because “the chances of them getting stopped are slim.”

Do Offenders Follow the Occupational License Rules?

The respondents were of different minds when assessing whether occupational license holders actually follow the rules of the license. One police officer said that four of the last five occupational license holders were violating the rules:

“They aren’t doing it as well as they should be. I don’t think they take it seriously enough.”

However, there were several respondents who thought that occupational license holders do follow the rules. The main reasoning behind this opinion is that if offenders went to the trouble to obtain the licenses, they would be willing to follow the rules. A respondent from an insurance company said:

“By and large, [breaking the rules] is not a problem. You could make it more restrictive, but most people follow the rules. That would be a nightmare. People are going to abuse the thing, but that’s a rare thing.”

A state legislator said:

“Most people follow the rules. If they went through the trouble of getting it, they are going to follow the rules.”

A different legislator said that the most common type of rule breaking involved grocery shopping. He said that when offenders break the rules, “they are super careful because they know they are doing something wrong.”

A police officer guessed that 50% of the offenders follow the rules, but he said this number was “pure speculation.”

Detailed Findings – Professional Understanding

Does the Occupational Licensing Program Encourage Repeat Offenses?

Respondents were asked to judge whether occupational licenses detract from the penalties of bad driving and contribute to repeat offenses. They were divided over this question. Three different police officers felt that they do:

“Occupational licenses do detract from the penalties. They do contribute to repeat offenses.”

“I have had some people say, “Go ahead and take my license. I can get an occupational license.”

“Yes. By allowing individuals greater latitudes, they are going to be on the road more and will have more of an opportunity to violate traffic laws.”

However, other respondents had other opinions.

“The occupational license does not detract from punishment. They have all kinds of penalties before they get the occupational license. There is plenty of punishment.... No, it does not encourage multiple offenses.” (Insurance company representative)

“No. The loss of the license for personal or social reasons is the most important loss of the driving privilege.” (District attorney)

“No. The punishment is severe enough. We don’t want to be the kind of society where we keep people from working. If we take away their livelihood, society will end up paying more through welfare and other ways.” (Defense attorney)

“No. It draws your attention to it more. You definitely don’t want to get picked up.” (Legislator)

“No. With its numerous restrictions, the occupational license is a deterrent....I doubt [that it contributes to repeat offenses]. It is likely that people would be more careful with an occupational license because of the effort they had to go through to get it.” (Judge)

“No. It would be an incentive to be more responsible. People want to try to do the right thing. They have a second chance with this program. (Private employer)

Detailed Findings – Professional Understanding

What Effects Does the Occupational Licensing Program Have?

Respondents were asked to assess the effects of occupational licenses in Wisconsin on several factors in life:

- Traffic accidents, injuries, and deaths
- Driving after revocation or suspension
- Employment
- Mortgage or rent default

Basically, the respondents did not know about the effects of the occupational licensing program in most of these areas. Concerning traffic accidents, all the respondents said that either there was no effect or they did not know of any effect.

One police officer said: *“I would think it wouldn’t have any bearing. What causes accidents is errors in driving, not errors in licensing.”*

A legislator said: *“I don’t think the occupational license has any substantial effect on accidents.”*

A judge said: *“I doubt that it has an effect.... It would surprise me if there is much of an effect.”*

Concerning the effect of occupational licenses on the number of people driving without licenses, the basic consensus was that it would probably reduce the number, but the respondents clearly did not know and were guessing.

Concerning the effect on employment, everybody said the occupational licensing program probably increases employment. The respondents also reasoned that if it increased employment, it decreased mortgage and rent default.

Occupational License Components from Other States

Every respondent was asked about components of occupational licensing programs from other states that might be profitably used in Wisconsin. However, only one person was aware of any aspects of other states’ programs. She was a private employer who said that awareness of the program among employees and employers was higher in Iowa than in Wisconsin. She suggested that Wisconsin should make an effort to better explain the program to both employees and employers.

DETAILED FINDINGS

PUBLIC UNDERSTANDING OF THE WISCONSIN OCCUPATIONAL LICENSE PROGRAM



Detailed Findings – Public Understanding

Respondent Profile

The study sampled a variety of types of people, about half male and half female, of varying ages, educational levels, and types of counties. In addition, 19% had had their driver's licenses suspended or revoked previously.

| Profile of Study Respondents | | |
|--|-------------|-------------------|
| | Sample Size | |
| Respondent Type | N = | Percent of Sample |
| Total Sample | 200 | 100% |
| License suspension/revocation history | | |
| Never had a driver's license susp/revoked | 162 | 81 |
| Had a driver's license susp/revoked | 38 | 19 |
| Gender | | |
| Male | 97 | 49 |
| Female | 103 | 52 |
| Age | | |
| 18 – 29 | 35 | 18 |
| 30 – 39 | 40 | 20 |
| 40 – 49 | 47 | 24 |
| 50 – 64 | 51 | 26 |
| 65 + | 27 | 14 |
| Education | | |
| High school or less | 81 | 41 |
| Some college / Two-year degree | 55 | 28 |
| Four-year degree / Advanced degree | 63 | 32 |
| County size (population) | | |
| Rural (under 100K) | 88 | 44 |
| Middle (100K – 199K) | 59 | 30 |
| Urban (200K+) | 53 | 27 |
| Source: Data Table 1 | | |

Detailed Findings – Public Understanding

Driver's Licenses Suspended or Revoked

Overall, 19% of the survey respondents had ever had their driver's licenses suspended or revoked. The following table shows that men were much more likely to have lost their licenses (30% v. 9%). Younger respondents were more likely to say they had had licenses suspended or revoked.

Respondents with at least a four-year college degree and those in rural counties were less likely to have lost their licenses.

| Percentage of Respondents who have ever had their Wisconsin Driver's License Suspended or Revoked for any Reason | | |
|--|------------|--|
| Respondent Type | N = | Percent who have had their Wisconsin DL Suspended or Revoked |
| Total Sample | 200 | 19% |
| Gender | | |
| Male | 97 | 30 |
| Female | 103 | 9 |
| Age | | |
| 18 – 29 | 35 | 23 |
| 30 – 39 | 40 | 28 |
| 40 – 49 | 47 | 21 |
| 50 – 64 | 51 | 14 |
| 65 + | 27 | 7 |
| Education | | |
| High school or less | 81 | 25 |
| Some college / Two-year degree | 55 | 20 |
| Four-year degree / Advanced degree | 63 | 10 |
| County type | | |
| Rural (under 100K) | 88 | 10 |
| Middle (100K – 199K) | 59 | 29 |
| Urban (200K+) | 53 | 23 |
| Source: Data Table 73 | | |

Detailed Findings – Public Understanding

Awareness of Occupational Licenses

Respondents were asked if they had heard of occupational licenses in two formats. First, all respondents were simply asked, “Have you ever heard of an occupational driver’s license?” This is the “unaided” format. Those who said they had not heard of an occupational driver’s license were then read a description of the license and asked, “Have you heard of this kind of license?” This is the “aided” format.

As the following table shows, 65% of all the respondents said they had heard of the occupational driver’s license in the “unaided” format, and another 25% had heard of it in the “aided” format. Ten percent had not heard of it; they were not asked subsequent questions on the occupational license.

There were few differences between types of respondents in their levels of awareness. However, there are two exceptions. Those who had ever had their licenses suspended or revoked and those with a lower education were much more likely to be aware of occupational licenses in the unaided format, and less educated respondents were somewhat more likely to be aware in the unaided format.

| Awareness of Wisconsin Occupational Licenses | | | | | |
|---|------------|--------------------|------------|------------|------------|
| Respondent Type | N = | Level of Awareness | | | |
| | | Aware | | | Unaware |
| | | Unaided | Aided | Total | |
| Total Sample | 200 | 65% | 25% | 90% | 10% |
| License suspension history | | | | | |
| Never had a driver’s license suspended | 162 | 59 | 30 | 88 | 12 |
| Had a driver’s license suspended | 38 | 92 | 5 | 97 | 3 |
| Gender | | | | | |
| Male | 97 | 68 | 23 | 91 | 9 |
| Female | 103 | 62 | 27 | 89 | 11 |
| Age | | | | | |
| 18 – 29 | 35 | 69 | 11 | 80 | 20 |
| 30 – 39 | 40 | 63 | 30 | 92 | 8 |
| 40 – 49 | 47 | 64 | 28 | 91 | 9 |
| 50 – 64 | 51 | 67 | 29 | 96 | 4 |
| 65 + | 27 | 63 | 22 | 85 | 15 |
| Education | | | | | |
| High school or less | 81 | 73 | 19 | 91 | 9 |
| Some college / Two- year degree | 55 | 67 | 24 | 91 | 9 |
| Four- year degree / Advanced degree | 63 | 52 | 35 | 87 | 13 |
| County type | | | | | |
| Rural (under 100K) | 88 | 61 | 24 | 85 | 15 |
| Middle (100K – 199K) | 59 | 71 | 24 | 95 | 5 |
| Urban (200K+) | 53 | 64 | 28 | 92 | 8 |
| Source: Data Tables 3-5 | | | | | |

Detailed Findings – Public Understanding

All respondents who were aware of occupational licenses were asked if Wisconsin law required that a driver's license be suspended for each of eleven reasons (two questions were asked in two different wordings, each to half the sample). Over 70% of the respondents said that a license could be withdrawn for driving under the influence of alcohol or drugs, and accumulating too many traffic demerit points.

For some offenses that carry a penalty of license withdrawal, very few respondents said that the law requires license suspension or revocation: failure to pay child support, a non-driving drug conviction, and truancy from school.

| Offenses for Which Wisconsin Law Requires Suspending or Revoking a Driver's License <i>(Total Sample: N = 180)</i> | | | |
|---|--------|----|------------|
| Offense | Answer | | |
| | Yes | No | Don't Know |
| Driving under the influence of alcohol or drugs | 84% | 5% | 11% |
| Accumulating too many traffic demerit points | 73 | 6 | 22 |
| Continuing to drive while license already suspended or revoked | 73 | 4 | 23 |
| Reckless driving causing great bodily harm (N = 87)* | 64 | 7 | 29 |
| Leaving the scene of an accident causing injury or death (N = 87)* | 61 | 8 | 31 |
| Failure to pay traffic fines | 46 | 19 | 36 |
| Refusal to submit to Breathalyzer or sobriety test | 45 | 18 | 37 |
| Leaving the scene of an accident (N = 93)* | 34 | 15 | 51 |
| Reckless driving (N = 93)* | 33 | 20 | 46 |
| Failure to pay parking tickets | 26 | 35 | 39 |
| Failure to pay child support | 24 | 24 | 51 |
| A non-driving drug conviction | 17 | 23 | 59 |
| Truancy from school | 14 | 34 | 52 |
| *These questions were asked of half the sample (100 respondents each). Of those 100 respondents, 87 or 93 were aware of occupational licenses and were asked these questions. | | | |
| The correct answers are shaded. The punishment for the offenses that are not shaded may include license suspension or revocation, but the law does not require it. For continuing to drive on a license that is already suspended or revoked, the law requires it on the fourth offense. A driver cannot lose a license for failing to pay parking tickets. | | | |
| Source: Data tables 9 – 21. | | | |

Detailed Findings – Public Understanding

Perceived Reasons for Suspending or Revoking Driver's Licenses

The following table shows the results for the same questions as the previous table, with respondents who had never had their driver's licenses suspended or revoked shown separately from those who had lost their licenses.

With one exception, respondents who had ever had their driver's licenses suspended or revoked were more likely to accurately answer that a person could lose a license for the offenses that actually do carry that penalty. For example, 95% of those who had had their licenses suspended or revoked said that a person could lose a license for OWI, compared to 81% of other respondents.

| Offenses for Which Wisconsin Law Requires Suspending or Revoking a Driver's License <i>(Total Sample: N = 180)</i> | | | |
|---|------------|------------------|-------------------|
| Offense | Total | Sus/Rev History | |
| | | Never Sus/Rev | Had DL Sus/Rev |
| <i>N =</i> | <i>180</i> | <i>143</i> | <i>37</i> |
| Driving under the influence of alcohol or drugs | 84% | 81% | 95% |
| Accumulating too many traffic demerit points | 73 | 71 | 81 |
| Continuing to drive while license already suspended or revoked | 73 | 71 | 81 |
| Reckless driving causing great bodily harm (N = 87)* | 64 | 66 | 59 |
| Leaving the scene of an accident causing injury or death (N = 87)* | 61 | 59 | 68 |
| Failure to pay traffic fines | 46 | 44 | 51 |
| Refusal to submit to Breathalyzer or sobriety test | 45 | 40 | 65 |
| Leaving the scene of an accident (N = 93)* | 34 | 35 | 33 |
| Reckless driving (N = 93)* | 33 | 33 | 33 |
| Failure to pay parking tickets | 26 | 25 | 32 |
| Failure to pay child support | 24 | 23 | 30 |
| A non-driving drug conviction | 17 | 15 | 24 |
| Truancy from school | 14 | 13 | 16 |
| *These questions were asked of half the sample (100 respondents each). Of those 100 respondents, 87 or 93 were aware of occupational licenses and were asked these questions. | | | |
| The correct answers are shaded. The punishment for the offenses that are not shaded may include license suspension or revocation, but the law does not require it. For continuing to drive on a license that is already suspended or revoked, the law requires it on the fourth offense. A driver cannot lose a license for failing to pay parking tickets. | | | |
| Source: Data tables 9 – 21. | | | |

Detailed Findings – Public Understanding

Perceived Offenses for which a Driver Would be Eligible for an Occupational License

Each respondent who said that the law requires suspension or revocation of a driver's license for a specific offense was then asked if the offender would be eligible for an occupational license for that offense. As implied on the previous table, the number of respondents asked each question varied from 151 for drunken driving to 25 to truancy from school

The following table shows that only about half of the respondents said that a person caught driving under the influence of alcohol or drugs (56%) or who had accumulated too many traffic demerit points (48%) would be eligible for an occupational license.

Overall, it is clear that the respondents do not have a good idea about which offenses include eligibility for an occupational driver's license. For many offenses, more people said "no" than "yes" and at least 30% of the respondents said they did not know for 11 of the 13 offenses.

| Offenses Eligible for an Occupational License | | | | |
|---|-----|------------------|----|------------|
| Offense | N = | Eligible for OL? | | |
| | | Yes | No | Don't Know |
| Driving under the influence of alcohol or drugs | 151 | 56% | 23 | 22 |
| Accumulating too many traffic demerit points | 131 | 48% | 20 | 32 |
| Continuing to drive while license already suspended or revoked | 131 | 26% | 41 | 34 |
| Reckless driving causing great bodily harm (N = 87)* | 56 | 20% | 46 | 34 |
| Leaving the scene of an accident causing injury or death (N = 87)* | 53 | 17% | 53 | 30 |
| Failure to pay traffic fines | 82 | 45% | 15 | 40 |
| Refusal to submit to Breathalyzer or sobriety test | 81 | 36% | 24 | 41 |
| Leaving the scene of an accident (N = 93)* | 32 | 22% | 25 | 53 |
| Reckless driving (N = 93)* | 31 | 26% | 23 | 52 |
| Failure to pay parking tickets | 47 | 38% | 21 | 40 |
| Failure to pay child support | 44 | 39% | 36 | 25 |
| A non-driving drug conviction | 31 | 52% | 16 | 32 |
| Truancy from school | 25 | 28% | 40 | 32 |
| *These questions were asked of half the sample (100 respondents each). Of those 100 respondents, 87 or 93 were aware of occupational licenses and were asked these questions. | | | | |
| The correct answers are shaded. | | | | |
| Source: Data tables 22 – 34 | | | | |

Detailed Findings – Public Understanding

The following table shows the responses of all 200 respondents in the survey concerning eligibility for occupational licenses. The last column of the table, “not asked,” includes respondents who were not asked about eligibility for occupational licenses either because they had not heard of occupational licenses or because they did not say that the offenses required driver’s license suspension or revocation.

This table is shown because it reflects the state of knowledge about occupational licenses more accurately. In the previous table, only those respondents who said each offense carried a loss of license were asked if a person could get an occupational license for that offense; those unaware that an offense carried a loss of license were not asked about occupational licenses. However, the true number of people who are unaware of the occupational license includes those who did not know about occupational licenses and/or about suspension and revocation in the first place.

The table shows that less than one half of all the respondents were aware that any offense included eligibility for occupational licenses. Almost half (42%) said that a person convicted of driving under the influence of alcohol or drugs could be eligible for an occupational license. Almost one-third said the same thing for a person who had accumulated too many traffic demerit points (32%). For all the other offenses, fewer than 20% of the respondents answered correctly.

Fewer than one-fourth of the respondents were aware that the other offenses included eligibility for occupational licenses.

| Offenses Eligible for an Occupational License <i>(Total Sample: N = 200)</i> | | | | |
|--|--|----|------------|-----------|
| Offense | <i>Eligible Offense for an Occupational License?</i> | | | |
| | Yes | No | Don’t Know | Not Asked |
| Driving under the influence of alcohol or drugs | 42% | 17 | 17 | 25 |
| Accumulating too many traffic demerit points | 32% | 13 | 21 | 35 |
| Continuing to drive while license already suspended or revoked | 17% | 27 | 22 | 35 |
| Reckless driving causing great bodily harm (N = 87)* | 11% | 26 | 19 | 44 |
| Leaving the scene of an accident causing injury or death (N = 87)* | 9% | 28 | 16 | 47 |
| Failure to pay traffic fines | 19% | 6 | 17 | 59 |
| Refusal to submit to Breathalyzer/Sobriety test | 15% | 10 | 17 | 60 |
| Leaving the scene of an accident (N = 93)* | 7% | 8 | 17 | 68 |
| Reckless driving (N = 93)* | 8% | 7 | 16 | 69 |
| Failure to pay parking tickets | 9% | 5 | 10 | 77 |
| Failure to pay child support | 9% | 8 | 6 | 78 |
| A non-driving drug conviction | 8% | 3 | 5 | 85 |
| Truancy from school | 4% | 5 | 4 | 88 |
| *These questions were asked of half the sample (100 respondents each). Of those 100 respondents, 87 or 93 were aware of occupational licenses. | | | | |
| The correct answers are shaded. | | | | |
| Source: Data tables 22 – 34 | | | | |

Detailed Findings – Public Understanding

Requirements for an Occupational License

About two-thirds of the respondents said in order to receive an occupational license an offender would have to be a resident of Wisconsin (69%) and show proof of employment (68%). Somewhat over half said that the offender would have to show proof of insurance (57%) and be 18 years old or older (52%). Of these four requirements, only two, Wisconsin residency and proof of insurance, are actually Wisconsin requirements for eligible offenders.

For the three other requirements, more than half of the respondents did not know if they were required for an occupational license in Wisconsin.

| Requirements for an Occupational License <i>(Total Sample: N = 180)</i> | | | |
|--|--------|----|------------|
| <i>For a Wisconsin occupational driver's license, is it required to:</i> | Answer | | |
| | Yes | No | Don't Know |
| Be a resident of Wisconsin | 69% | 7 | 24 |
| Show proof of employment | 68% | 8 | 24 |
| Show proof of insurance | 57% | 10 | 33 |
| Be age 18 years or older | 52% | 7 | 41 |
| Show proof that other means of transportation are not available | 33% | 16 | 51 |
| Have a court hearing or trial | 27% | 14 | 58 |
| Serve a specified waiting period | 27% | 10 | 63 |
| The correct answers are shaded. Some offenders need a court hearing or trial, and some need to wait specified waiting periods. | | | |
| Source: Data tables 38 – 44 | | | |

Detailed Findings – Public Understanding

Perceived Permissible Activities for an Occupational License

Although practically all of the respondents knew that occupational licenses can be used to drive to work, fewer than half said they could be used for the other activities. Only 22% said they can be used for religious observation and household duties.

Over one-third of the respondents answered “don’t know” for five of the six activities.

| Permissible Activities for an Occupational License <i>(Total Sample: N = 180)</i> | | | |
|---|--------|----|---------------|
| <i>Can an occupational driver’s license be used to drive:</i> | Answer | | |
| | Yes | No | Don’t Know |
| To work | 97% | -- | 3 |
| To school | 49% | 12 | 38 |
| To alcohol or drug treatments | 42% | 13 | 44 |
| To medical or dental appointments | 34% | 22 | 44 |
| To religious observation | 22% | 25 | 53 |
| For grocery shopping or household duties | 22% | 41 | 37 |
| The correct answers are shaded. All the activities are permitted. | | | |
| Source: Data tables 48 – 53 | | | |

Detailed Findings – Public Understanding

Restrictions Included with an Occupational License

About two-thirds of the respondents were aware that occupational license restrictions in Wisconsin include specific destinations (70%) and times of day (66%), with about half being aware of the three day and hour restrictions.

Most said they did not know if the restrictions included specific travel routes and specific vehicles.

| Restrictions Included with an Occupational License <i>(Total Sample: N = 180)</i> | | | |
|---|--------|----|------------|
| <i>Is a Wisconsin occupational driver's license restricted to:</i> | Answer | | |
| | Yes | No | Don't Know |
| A specific destination or destinations? | 70% | 6 | 24 |
| A specific time of day | 66% | 7 | 28 |
| A specific day or days of the week | 56% | 9 | 36 |
| A specific number of hours per day | 54% | 7 | 39 |
| A specific number of hours per week | 46% | 8 | 46 |
| Specific travel routes | 31% | 19 | 51 |
| A specific vehicle | 24% | 20 | 56 |
| The correct answers are shaded. | | | |
| Source: Data tables 57 – 63 | | | |

Detailed Findings – Public Understanding

Factual Questions about Commercial Vehicles and Occupational License Violations

All 180 respondents who were aware of occupational licenses were asked two factual questions about the licenses.

Only 15% said that an occupational license holder could drive a commercial vehicle.

The overwhelming majority of respondents (79%) said that an occupational license holder could be ticketed for violating the restrictions of the license.

| Commercial Vehicles and Tickets <i>(Total Sample: N = 180)</i> | |
|--|-----|
| <i>Can a person with an occupational driver's license drive a commercial vehicle like a semi-truck and trailer or a bus?</i> | |
| Yes | 15% |
| No | 37 |
| Don't Know | 48 |
| <i>Can a person with an occupational driver's license be ticketed if they violate the restrictions of the license?</i> | |
| Yes | 79% |
| No | 1 |
| Don't Know | 19 |
| The correct answers are shaded. | |
| Source: Data Tables 64 and 65 | |

Detailed Findings – Public Understanding

Opinions about Occupational Driver's Licenses

Respondents were asked to evaluate two aspects of Wisconsin's occupational licensing program. For the most part, they did not have strong opinions. About half said they did not know if the licenses are granted too easily, not easily enough, or just right. Almost half (43%) did not know if the licenses are too restrictive, not restrictive enough, or just right.

Only about one-fourth of the respondents implied that the occupational rules should be changed. Only 22% said that the licenses are granted too easily or not easily enough, and only 25% said they are either too restrictive or not restrictive enough. Of those who criticized the rules, the largest percentage said they are granted too easily (18%) and they are not restrictive enough (22%).

| Opinions about Occupational Driver's Licenses <i>(Total Sample: N = 180)</i> | |
|--|-----|
| <i>Do you think Wisconsin occupational driver's licenses are granted too easily, not easily enough, or are just right?</i> | |
| Too easily | 18% |
| Just right | 26 |
| Not easily enough | 4 |
| Don't know | 52 |
| <i>Do you think Wisconsin occupational driver's licenses are too restrictive, not restrictive enough, or are just right?</i> | |
| Too restrictive | 3% |
| Just right | 32 |
| Not restrictive enough | 22 |
| Don't know | 43 |
| Source: Data Tables 66 and 67 | |

Detailed Findings – Public Understanding

Suggested Changes in the Occupational License Program

Respondents were asked to suggest changes in the occupational license program. Nearly three-fourths did not make any suggestions. Thirteen percent said they did not know enough about the program to make suggestions, and 61% simply said they did not know or refused to answer the question.

Although each specific change was suggested by only a few people (at most 10 people or 6%), together they show a clear pattern—the suggested changes, if adopted, would make the program more restrictive. In fact, of the 15 suggested changes in the table, 12 call for making the program more strict or restrictive. The most frequently mentioned suggestions are:

- Better enforcement of restrictions / Monitor more closely (6%)
- Decrease number of allowed activities (3%)
- Drunk driving/drug offenders should not be eligible (3%)
- Make them [occupational licenses] harder to get (3%)

| What changes would you like to see in the occupational driver's license program, if any? | |
|--|---------|
| | N = 180 |
| Better enforcement of restrictions / Monitor more closely | 6% |
| Decrease number of allowed activities | 3 |
| Drunk driving/drug offenders should not be eligible | 3 |
| Make them [occupational licenses] harder to get | 3 |
| Mandatory proof of insurance | 2 |
| Limit driving hours | 2 |
| Make people more aware of the program | 2 |
| Do not give occupational licenses to repeat OWI offenders | 2 |
| Have more restrictions on driving | 2 |
| Extend driving hours | 1 |
| Disband the program | 1 |
| No second chance of violation occupational license rules | 1 |
| Designate the roads they can travel | 1 |
| Flexibility in hours allowed for part-time workers | 1 |
| Be more restrictive about who can get an occupational license | 1 |
| All others | 7 |
| Don't know enough about program | 13 |
| Don't know / Refused | 61 |
| Source: Data Table 68 | |

APPENDIX A
IN-DEPTH INTERVIEW GUIDELINE
(PROFESSIONAL UNDERSTANDING OF THE
WISCONSIN OCCUPATIONAL LICENSING PROGRAM)



PROFESSIONAL UNDERSTANDING OF WIOL PROGRAM

**IN-DEPTH INDIVIDUAL INTERVIEWS
INTERVIEW GUIDELINE**

Respondent Name: _____

Functional Area: _____

Hello, my name is Russell Brooker. I'm calling from The Dieringer Research Group. A few days ago, you made an appointment to participate in a survey about occupational licenses in Wisconsin.

[IF NECESSARY] We have been contracted by the Wisconsin Department of Transportation to assist in the study of the occupational licensing program and how it is being administered in Wisconsin.

Your name was selected as somebody familiar with the occupational license program.

OVERALL OPINIONS:

1. Overall, how well is the program working?
2. How well is the program being managed or administered?
 - a) What is working well?
 - b) What could be improved?
 - c) How well do the authorities monitor compliance?
 - d) How well do the authorities sanction or punish offenders who break the rules?

UNDERSTANDING OF THE PROGRAM:

3. To the best of your knowledge, what is the purpose of the Occupational Licensing program? That is, what should it accomplish?
4. How well does it accomplish that goal?
5. Based on your understanding of Wisconsin's OL program, do you know of any reasons for which an offender is not eligible for an occupational license?

6. How well is the current OL program understood by:

- a) The general public?
- b) Traffic offenders?
- c) Law Enforcement?
- d) Judges?
- e) District Attorneys?
- f) Prosecuting and Defense Attorneys?

ADMINISTRATION OF THE OL PROGRAM:

7. How well do the offenders with an occupational license follow the rules?

- a) Times
- b) Locations
- c) Routes
- d) Other limits

8. In your opinion, why do some offenders who are eligible for an occupational license choose not apply for one?

EFFECTS OF THE OL PROGRAM:

9. To the best of your knowledge, what effect has the Wisconsin OL program had on:

- a) Number of traffic accidents in Wisconsin?
- b) Number of traffic injuries in Wisconsin?
- c) Number of traffic deaths in Wisconsin?
- d) Driving without a license in Wisconsin?
- e) Employment in Wisconsin?
- f) Mortgage/rent default in Wisconsin?
- g) Repeat offenders....
 - 1) that is, does the availability of an OL detract from the penalties of bad driving?
 - 2) Do you think occupational licenses contribute to repeat offenses?

SUGGESTIONS FOR THE OL PROGRAM:

10. Do you know aspects of any other states' programs that work well and might work in Wisconsin?
 - a) Which states?
 - b) Which aspects?
 - c) Why are they better?
11. What changes, if any, would you recommend to Wisconsin's occupational licensing program?
12. In your opinion, how would Wisconsin be different if there were no occupational licensing program?

APPENDIX B

SURVEY QUESTIONNAIRE

**(PUBLIC UNDERSTANDING OF THE
WISCONSIN OCCUPATIONAL LICENSING PROGRAM)**



DISPOSITION _____ CODE _____ 4308
030243081
06/25/02 – 6

**PUBLIC UNDERSTANDING OF CURRENT WI OL PROGRAM (TASK 8B)
SURVEY QUESTIONNAIRE**

First Call: Date _____ Time _____ Interviewer _____

1st Callback _____

2nd Callback _____

3rd Callback _____

Name _____ Title _____

Address _____

City _____ State _____

Telephone A/C _____ Number _____

INTRODUCTION

Hello, my name is _____, from The Dieringer Research Group, a marketing research firm in Milwaukee. We are working with The Wisconsin Department of Transportation to conduct an 8 minute interview on the Wisconsin occupational driver's license program. Please note that your name and your answers will remain anonymous.

Continue with interview

Schedule Callback

Initial Refusal

This call may be monitored by an employee of The Dieringer Research Group for quality assurance purposes.



A. Are you currently 18 years of age or older?

| | | |
|--|-----------------|---|
| (Ask for someone who is and reintroduce) ? | Yes..... | 1 |
| (THANK AND TERMINATE.) ? | No..... | 2 |
| (THANK AND TERMINATE.) ? | Don't Know..... | 3 |
| (THANK AND TERMINATE.) ? | Refused..... | 4 |

A.1. Record Gender. (DO NOT ASK)

| | |
|--------------|---|
| Male | 1 |
| Female | 2 |

A.2. Are you a Wisconsin resident?

| | | |
|-------------------------|-----------------|---|
| (THANK AND TERMINATE) ? | Yes..... | 1 |
| (THANK AND TERMINATE) ? | No..... | 2 |
| (THANK AND TERMINATE) ? | Don't Know..... | 3 |
| (THANK AND TERMINATE) ? | Refused..... | 4 |

B. First, have you ever heard of an occupational driver's license?

| | | |
|-------------------|-----------------|---|
| (SKIP TO D.) ? | Yes..... | 1 |
| (PROCEED TO C.) ? | No..... | 2 |
| (PROCEED TO C.) ? | Don't Know..... | 3 |
| (PROCEED TO C.) ? | Refused..... | 4 |

C. The Wisconsin occupational driver's license is a restricted driver's license, meaning a person who has had their regular driver's license suspended or revoked may be given a temporary license allowing them to drive a car under certain pre-determined conditions, such as going to work. Have you heard of this kind of license?

| | | |
|-------------------------|-----------------|---|
| (SKIP TO #1.) ? | Yes..... | 1 |
| (SKIP TO #13.) ? | No..... | 2 |
| (SKIP TO #13.) ? | Don't Know..... | 3 |
| (THANK AND TERMINATE) ? | Refused..... | 4 |

D. Just so everyone is thinking of the same thing, the Wisconsin occupational driver's license is a restricted driver's license, meaning a person who has had their regular driver's license suspended or revoked may be given a temporary license allowing them to drive a car under certain pre-determined conditions.

QUESTIONS:

1. Based on your knowledge, for which of the following reasons does the current Wisconsin law require the suspension or revocation of a person's driver's license? If you don't know, please don't guess, just tell me and we will move on. **(READ AND ROTATE LIST.)**

(READ IF NECESSARY) Does the current law require a person's driver's license to be suspended or revoked for...

| | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |
|--|------------|-----------|-------------------|
| a) Driving while under the influence of alcohol or drugs? | 1 | 2 | 3 |
| b) Accumulating too many traffic demerit points? | 1 | 2 | 3 |
| c) A non-driving drug conviction? | 1 | 2 | 3 |
| d) Failure to pay traffic fines? | 1 | 2 | 3 |
| e) Truancy from school? | 1 | 2 | 3 |
| f) Failure to pay child support? | 1 | 2 | 3 |
| g) Refusal to submit to a Breathalyzer or sobriety test? | 1 | 2 | 3 |
| h) 1. (N=1 TO 100) Leaving the scene of an accident? | 1 | 2 | 3 |
| 2. (N=101 TO 200) Leaving the scene of an accident causing injury or death? | 4 | 5 | 6 |
| i) Continuing to drive while their license is already suspended or revoked? | 1 | 2 | 3 |
| j) 1. (N=1 TO 100) Reckless driving? | 1 | 2 | 3 |
| 2. (N=101 TO 200) Reckless driving causing great bodily harm? | 4 | 5 | 6 |
| k) Failure to pay parking tickets? | 1 | 2 | 3 |

2. Now I am going to read some of those reasons again, but now I want you to tell me if a person may be **eligible for an occupational driver's license in Wisconsin** if they had their license suspended or revoked for that reason. Again, if you don't know, please don't guess, just tell me so. **(READ ONLY THOSE ANSWERED "YES" TO #1. AND ROTATE LIST.)**

INTERVIEWER NOTE: IF A RESPONDENT SAYS THE ELIGIBILITY DEPENDS ON THE NUMBER OF OFFENSES, TELL THEM TO ASSUME IT IS A PERSON'S FIRST OFFENSE.

(READ IF NECESSARY) Could a person be **eligible** for an occupational driver's license in Wisconsin if they had their regular driver's license suspended or revoked for...

| | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |
|--|------------|-----------|-------------------|
| l) Driving while under the influence of alcohol or drugs? | 1 | 2 | 3 |
| m) Accumulating too many traffic demerit points? | 1 | 2 | 3 |
| n) A non-driving drug conviction? | 1 | 2 | 3 |
| o) Failure to pay traffic fines? | 1 | 2 | 3 |
| p) Truancy from school? | 1 | 2 | 3 |
| q) Failure to pay child support? | 1 | 2 | 3 |
| r) Refusal to submit to a Breathalyzer or sobriety test? | 1 | 2 | 3 |
| s) 1. (N=1 TO 100) Leaving the scene of an accident? | 1 | 2 | 3 |
| 2. (N=101 TO 200) Leaving the scene of an accident causing injury or death? | 4 | 5 | 6 |
| t) Continuing to drive while their license is already suspended or revoked? | 1 | 2 | 3 |
| u) 1. (N=1 TO 100) Reckless driving? | 1 | 2 | 3 |
| 2. (N=101 TO 200) Reckless driving causing great bodily harm? | 4 | 5 | 6 |
| v) Failure to pay parking tickets? | 1 | 2 | 3 |

3. Now I am going to read a list of possible requirements for an occupational driver's license in Wisconsin and I would like you to tell me if *it is* a requirement for an occupational driver's license. Again, please don't guess. Let me know if you don't know. **(READ AND ROTATE LIST.)**

(READ IF NECESSARY) For a Wisconsin occupational driver's license, is it required to ...

| | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |
|---|------------|-----------|-------------------|
| a) Show proof of insurance? | 1 | 2 | 3 |
| b) Have a court hearing or trial? | 1 | 2 | 3 |
| c) Show proof of employment? | 1 | 2 | 3 |
| d) Be age 18 years or older? | 1 | 2 | 3 |
| e) Be a resident of Wisconsin? | 1 | 2 | 3 |
| f) Show proof that other means of transportation are not available? | 1 | 2 | 3 |
| g) Serve a specified waiting period? | 1 | 2 | 3 |

4. Which of the following activities can an occupational driver's license be used for in Wisconsin? **(READ AND ROTATE LIST.)** If you don't know, please don't guess, just tell me.

(READ IF NECESSARY) Can an occupational driver's license be used to drive ...

| | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |
|--|------------|-----------|-------------------|
| a) To work? | 1 | 2 | 3 |
| b) To school? | 1 | 2 | 3 |
| c) To religious observation? | 1 | 2 | 3 |
| d) To medical or dental appointments? | 1 | 2 | 3 |
| e) To alcohol or drug treatments? | 1 | 2 | 3 |
| f) For grocery shopping or household duties? | 1 | 2 | 3 |

5. Which of the following restrictions does an occupational driver's license have in Wisconsin? Again, please don't guess, just tell me if you don't know. **(READ AND ROTATE LIST.)**

(READ IF NECESSARY) Is a Wisconsin occupational driver's license restricted to ...

| | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |
|---|------------|-----------|-------------------|
| a) A specific time of day? | 1 | 2 | 3 |
| b) A specific day or days of the week? | 1 | 2 | 3 |
| c) Specific travel routes (streets, cities, counties able to drive in)? | 1 | 2 | 3 |
| d) A specific destination or destinations (work, school, treatment etc.)? | 1 | 2 | 3 |
| e) A specific number of hours per day? | 1 | 2 | 3 |
| f) A specific number of hours per week? | 1 | 2 | 3 |
| g) A specific vehicle? | 1 | 2 | 3 |

6. Can a person with an occupational driver's license drive a commercial vehicle like a semi-truck and trailer or a bus?

Yes..... 1
 No..... 2
 Don't Know..... 3
 Refused..... 4

7. Can a person with an occupational driver's license be ticketed if they violate the restrictions of the license?
- Yes..... 1
 No..... 2
 Don't Know..... 3
 Refused..... 4
8. Do you think Wisconsin occupational driver's licenses are granted too easily, not easily enough, or are just right?
- Too easily 1
 Not easily enough..... 2
 Just right..... 3
 Don't Know..... 4
 Refused..... 5
9. Do you think Wisconsin occupational driver's licenses are too restrictive, not restrictive enough, or are just right?
- Too restrictive 1
 Not restrictive enough..... 2
 Just right..... 3
 Don't Know..... 4
 Refused..... 5
10. What changes would you like to see in the occupational driver's license program, if any? **(RECORD VERBATIM RESPONSE. PROBE AND CLARIFY.)**

Now I have just a few more questions to help us analyze the data. Again, your responses will remain completely anonymous.

11. Have you ever applied for an occupational driver's license in Wisconsin?
- (SKIP TO #13.) -- Yes..... 1
 (SKIP TO #13.) -- No..... 2
 (SKIP TO #13.) -- Don't Know..... 3
 (SKIP TO #13.) -- Refused..... 4
- 11.1. Have you ever been issued an occupational driver's license in Wisconsin?
- (SKIP TO #13.) -- Yes..... 1
 (SKIP TO #13.) -- No..... 2
 (SKIP TO #13.) -- Don't Know..... 3
 (SKIP TO #13.) -- Refused..... 4
12. Do you currently have a Wisconsin occupational driver's license?
- (SKIP TO #15.) -- Yes..... 1
 No..... 2
 Don't Know..... 3
 Refused..... 4

13. Do you currently have a regular Wisconsin driver's license?
- Yes..... 1
No..... 2
Don't Know..... 3
Refused..... 4
14. Have you ever had your Wisconsin driver's license suspended or revoked for any reason? I will not ask you the reason.
- Yes..... 1
No..... 2
Don't Know..... 3
Refused..... 4
15. Which of the following age groups includes your age? **(READ LIST.)**
- 18-24 1
25-29 2
30-39 3
40-49 4
50-64 5
65 years or older..... 6
DO NOT READ ? Refused..... 7
16. What is the last year of school you have completed? **(READ LIST IF NECESSARY.)**
- Less than high school..... 1
High school graduate or GED..... 2
Some college (no degree)..... 3
Two year college degree or
technical school graduate 4
Four year college degree..... 5
Advanced degree (Master's/Doctorate/PhD)..... 6
DO NOT READ ? Refused..... 7
- (IF #14. = YES AND #11. = NO, THEN PROCEED TO #17., ELSE SKIP TO #17.2.)**
17. We are very interested in the reasons why people who have lost their regular driver's license choose not to apply for an occupational driver's license. Based on what you told us today, you have been in this situation and we were hoping you could explain why you did not apply for an occupational license. **(DO NOT READ LIST. CHECK ALL THAT APPLY. CLARIFY RESPONSES WHEN NECESSARY.)**
- Too much hassle..... 1
Too expensive - insurance 2
Too expensive – legal fees 3
Too expensive – registration fee..... 4
Didn't know it was available 5
I knew I wouldn't be eligible..... 6
Length of suspension/revocation too short and it wasn't
worth the time/effort/money to get an OL..... 7
Couldn't get insurance that was required 8
Couldn't meet the non-insurance requirements..... 9
I just drove anyway..... 10
Other (specify) _____
Don't Know..... 19

- Refused..... 20
- 17.1. Sometime in August, we are going to be conducting more research with people in your similar situation. It would be another telephone interview approximately 6 minutes in length. Would you be interested in participating again?

(PROCEED TO #17.3.) → Yes..... 1
 (SKIP TO #18.) → No..... 2
 (SKIP TO #18.) → Don't Know..... 3
 (SKIP TO #18.) → Refused..... 4

(IF #14. = YES AND #11.1. = NO AND IF COUNTY = DANE OR MILWAUKEE, PROCEED TO #17.2., ELSE SKIP TO #18.)

- 17.2. We are very interested in how your life has changed since you have been denied an occupational license. Next month, we are going to be conducting more research with people in your similar situation. We will be holding a group discussion, and if you participate we will pay you \$50 in cash. Would you be interested in participating in a group discussion?

(PROCEED TO #17.3.) → Yes..... 1
 (SKIP TO #18.) → No..... 2
 (SKIP TO #18.) → Don't Know..... 3
 (SKIP TO #18.) → Refused..... 4

- 17.3. Great! Thank you so very much. So we can contact you in the future, would you please tell me your full name and then we'll verify your phone number.

PLEASE CLARIFY SPELLING ON FIRST AND LAST NAME.

Name (Mr. - Mrs. - Ms. - Dr.) [circle one] _____

Telephone (_____) _____

(SKIP TO CLOSING)

18. For supervisor validation purposes, what is your first name?

CLOSING:

That is all the questions I have for you. Thank you for helping us with our research.

**(IF THEY ARE INTERESTED IN THE CORRECT ANSWERS, DIRECT THEM TO
 WWW.DOT.STATE.WI.US)**

APPENDIX C

STATISTICAL RELIABILITY AND LIMITATIONS



Statistical Reliability and Limitations:

Reliability is a measure of the precision of a sample estimate of a population value. Worded another way, it refers to the similarity of results provided by independent but comparable measures of the same population. It is dependent primarily upon survey sample size.

As a generalization, a sample of 200 randomly selected respondents, such as we have for our total returned questionnaires, will generate data reliable with a $\pm 7\%$ sampling error at a 95% confidence level. That is, if a similar survey were conducted repeatedly, results within $\pm 7\%$ of the true population value would occur for any one question 95 out of 100 times. Looking at it another way, if a question received a "yes" answer by 60% of the 200 respondents, the chances are 95 out of 100 that between 53.0% and 67.0% of the total population would lodge a similar "yes" response, if asked. Sampling error such as this is applied to each cross-tabulation market cell as well as the total survey sample.

In addition to determining the total sampling error, independent ztests were conducted on the percentages and ttests were conducted on the means to determine significant differences between demographic groups. If the difference between the two percentages (or the two means) in question is large enough, we say the difference is "significant." If the difference is not large enough, we say it is "not significant."

Whether the difference between two percentages is "significant" depends on the size of the difference and the sizes of the two samples. For example, if 55% of men and 65% of women answered "Yes" to a certain question, we use the sampling error of the difference between percentages to determine if that difference of ten percentage points is "significant."

For means, whether the difference between two means is "significant" depends on the size of the differences, the sample sizes, and the standard deviations of the two samples. In calculating significance for means, we use the sampling error of the difference between the means.

If we say that the difference is significant at the 95% level of confidence, we are saying that we are 95% sure that a difference that large could not appear simply from sampling error.